



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

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TO: PROJECT MANAGERS AND PROJECT DIRECTORS
MARIJUANA SUPPRESSION PROGRAM (MSP)

FROM: GWENYTH C. DURLING, CHIEF
DRUG ENFORCEMENT SECTION

SUBJECT: REQUEST FOR APPLICATION (RFA)

DATE: MARCH 16, 2007

Enclosed is the Marijuana Suppression Program (MSP) application package to be used when submitting the application for Fiscal Year 2007/08 grant award funds. The Office of Emergency Services (OES) anticipates an allocation level of \$1,783,574. Please refer to the distribution chart on page 2 of the RFA for your county's award amount.

To be considered for another year of continuous funding for FY 2007/2008, applicants must complete the enclosed materials and submit them no later the 5:00 p.m. on **Thursday, April 26, 2007**. Applications should be addressed to:

Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655

Attn: Marijuana Suppression Program RFA
Sherril Scott, Drug Enforcement Section

If you have any questions regarding this application, please do not hesitate to contact Sherril Scott, Senior Program Specialist, Drug Enforcement Section, at (916) 322-1959 or email at sherril.scott@oes.ca.gov.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**MARIJUANA SUPPRESSION PROGRAM
REQUEST FOR APPLICATION**

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- IV. **FORMS** - Click (FORMS) to get the required forms listed below, **or** go to www.oes.ca.gov and select *Recipient Handbook, Appendices, and Forms*, **or** paste the following link into your browser:
www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm

APPLICATION CHECKLIST AND REQUIRED SEQUENCE

APPLICATION COVER SHEET

GRANT AWARD FACE SHEET AND INSTRUCTIONS

PROJECT CONTACT INSTRUCTIONS AND INFORMATION

SIGNATURE AUTHORIZATION AND INSTRUCTIONS

CERTIFICATION OF ASSURANCE OF COMPLIANCE

PROJECT NARRATIVE

APPLICATION BUDGET – BUDGET NARRATIVE

BUDGET FORMS (Excel spreadsheet format) - Without Match

Personal Services – Salaries/Employee Benefits

Operating Expenses

Equipment

PROJECT SUMMARY

SAMPLE OPERATIONAL AGREEMENT

NONCOMPETITIVE BID REQUEST CHECKLIST (if applicable)

OUT OF STATE TRAVEL REQUEST (if applicable)

PROJECT SERVICE AREA INFORMATION

COMPUTER AND AUTOMATED SYSTEMS PURCHASE JUSTIFICATION GUIDELINES (if applicable)

REPORTING ALIEN CONVICTIONS

METHAMPHETAMINE ASSURANCE OF COMPLIANCE

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**MARIJUANA SUPPRESSION PROGRAM
REQUEST FOR APPLICATION**

PART I – INFORMATION

A. INTRODUCTION

This Request for Application (RFA) provides the information and forms necessary to prepare an application for the Governor's Office of Emergency Services (OES) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and can be accessed at the website www.oes.ca.gov by selecting "*Recipient Handbook Appendices and Forms*."

B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues should be submitted to the below contact person by telephone, fax, or e-mail.

Sherril Scott, Drug Enforcement Section, telephone (916) 322-1959, fax (916) 324-1756, or e-mail: sherril.scott@oes.ca.gov.

C. APPLICATION DUE DATE AND SUBMISSION OPTIONS

One original and one copy of the application must be delivered to OES' Law Enforcement and Victim Services Division by the date and time indicated below. Submission options are:

1. Regular and Overnight mail, **postmarked by Thursday, April 26, 2007**, to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Marijuana Suppression Program
Sherril Scott, Drug Enforcement Section

2. Hand delivered by **5:00 p.m. on Thursday, April 26, 2007** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Marijuana Suppression Program
Sherril Scott, Drug Enforcement Section

D. ELIGIBILITY

Fifteen counties received funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) for Fiscal Year 2007/08. These same counties are now eligible to apply for another year of continuous funding through the Request for Application (RFA) process.

E. FUNDS

OES anticipates that \$1,783,574 from the federal Justice Assistance Grant (JAG) Program will be allocated for this program in Fiscal Year 2007/08. Applicants must budget for a twelve (12) month grant award period that begins July 1, 2007 and ends June 30, 2008. Funding must be spent in accordance with OES requirements, as outlined in the RFA and the Marijuana Suppression Program (MSP) Guidelines.

There is no match requirement associated with this program.

The following chart provides information concerning the counties currently receiving funding and their corresponding 2007/08 amounts:

Butte County	\$118,904	Santa Clara	\$118,905
Fresno County	\$118,905	Santa Cruz County	\$118,905
Humboldt County	\$118,905	Shasta County	\$118,905
Mendocino County	\$118,905	Siskiyou County	\$118,905
Monterey County	\$118,905	Sonoma County	\$118,905
Riverside County	\$118,905	Tehama County	\$118,905
San Bernardino County	\$118,905	Tuolumne County	\$118,905
San Luis Obispo County	\$118,905		

F. PROGRAM INFORMATION

The MSP was initially authorized by Chapter 1563, Statutes of 1985, to provide financial assistance to counties experiencing substantial problems with marijuana eradication. The Legislature determined that the level of illegal marijuana production and availability in rural counties, along with the associated violence that generally accompanies the cultivation, continued to threaten the well-being and safety of citizens and public lands in counties throughout the state. State funds were allocated to assist in the effort to minimize the availability of marijuana in California.

Since 1990, this program has been funded under the federal block grant to California, currently known as the Edward Byrne Memorial Justice Assistance Grant Program, commonly referred to as the "JAG funds." A majority of these funds are utilized to fund projects under the Anti-Drug Abuse Enforcement Program. California's JAG funded grants are to be used for the purposes of enforcing the state and local controlled substances laws and to improve the functioning of the criminal justice system with emphasis on serious and violent drug offenders.

The MSP is a multi-faceted, year-round enforcement operation that investigates, arrests, and prosecutes cultivators and traffickers. Under this program, participating counties proceed to:

- Minimize marijuana availability through investigations, crop destruction, and arrests;
- Prosecute marijuana cultivators and traffickers;
- Deter cultivation in potential growing areas; and
- Seize and initiate forfeiture proceedings of perpetrator assets.

Drug Endangered Children Protocol:

Per Penal Code §13879.80, an agency must show the existence of a Drug-Endangered Children (DEC) program that includes, but is not limited to:

- A written plan that states how county agencies will deal with DEC cases.
- Identified contact people in law enforcement, prosecution, and health/Children's Protective Services (CPS) who will deal with DEC cases.
- A plan for CPS to be responsible for the child's medical and family services.
- Written policies and procedures that spell out how law enforcement officers will deal with children found at narcotics scenes, or where there is an indication that a child lives at the scene.

(Refer to Attachment C for DEC Penal Code §13879.80)

G. PREPARING AN APPLICATION

Part IV - Forms includes an Application Cover Sheet. Please complete the Application Cover Sheet and attach it to the front of the application.

Please provide the 16 required application components in the order listed below:

- Application Cover Sheet;
- Grant Award Face Sheet (OES A301);
- Project Contact Information;
- Certification of Assurance of Compliance;
- Signature Authorization and Instructions;
- Project Narrative;
- Budget Narrative and the Project Budget (OES A303a-c);
- Operational Agreement;
- Report of Alien Convictions;
- Methamphetamine Assurance of Compliance;
- Project Service Information;
- Out-of-State Travel Request (if applicable);
- Computer and Automated System Purchase Justification Guidelines (if applicable);
- Non-Competitive Bid Justification Checklist (if applicable);
- Organizational Chart; and
- DEC Protocol

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**MARIJUANA SUPPRESSION PROGRAM
REQUEST FOR APPLICATION**

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in *Recipient Handbook, Appendices, and Forms* ([FORMS](#)) and plain 8½" x 11" white paper for the application. The blank Project and Budget Narrative pages on the website have been pre-formatted to OES standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the OES pre-formatted pages.

Copies of the application must be assembled separately and individually fastened in the upper left corner. ***Do not staple or bind application.***

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address that problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

1. Problem Statement

The Problem Statement should include a brief description of the county, a detailed description of the nature and extent of the marijuana cultivation and trafficking problem affecting your county, and the anticipated impact of the Marijuana Suppression Program on the local problem.

2. Plan and Implementation

This section describes the **mandatory** objectives for the law enforcement and prosecution components to address the problem. For each objective, describe the activities and processes that will be implemented for FY 2007/08. All activities must be realistic, measurable, and quantifiable. In developing the objectives there is no space limit; however, begin a new page for each objective. Where requested, include FY 2007/08 projections for activities to be accomplished.

Be advised that “dead male” plant counts are not allowed. Only those plants removed from a garden at the time of the raid may be counted and reported to OES.

Law Enforcement Component

OBJECTIVE LE-1: Suppress marijuana cultivation activities in the county. Discuss the methods that will be used to establish and continue liaison with other components and participating agencies.

PROJECTED NUMBER

1. Indoor marijuana cultivation sites detected: _____
2. Indoor marijuana cultivation sites eradicated: _____
3. Outdoor marijuana cultivation sites detected: _____
4. Outdoor marijuana cultivation sites eradicated: _____
5. Total marijuana plants confiscated: _____
Do not report "dead male" plants in count.
6. Processed marijuana (in pounds) confiscated: _____

OBJECTIVE LE-2: Investigate marijuana cultivation and trafficking organizations. Describe efforts to investigate marijuana cultivation and trafficking organizations in the county. Include the methods that will be used to achieve this objective and how liaison will be maintained with other components and participating agencies.

PROJECTED NUMBER

1. Investigations initiated for marijuana cultivation and trafficking: _____
2. Investigations resulting in arrest: _____
3. Investigations completed: _____
4. Total number of arrests: _____
5. Probation revocations: _____
6. Children present at drug scene: _____
7. Weapons seized: _____
8. Search warrants served: _____
9. Referrals to prosecution: _____

OBJECTIVE LE-3: Seize, for forfeiture proceedings, assets of marijuana cultivators and traffickers. Describe the efforts to seize assets and conduct forfeiture proceedings of marijuana cultivators and traffickers in the county. The discussion must include the methods that will be used to achieve this objective.

PROJECTED NUMBER

1. Investigations resulting in asset seizures: _____
2. Estimated dollar value of real property seized: _____
3. Estimated dollar value of personal property seized: _____
4. Amount of cash seized: _____

OBJECTIVE LE-4: Improve the quality of marijuana investigation and eradication efforts. Describe the current training efforts that are in place, including basic and advanced training plans. Discuss the proposed training efforts, including any cross-training with other county criminal justice agencies/components.

PROJECTED NUMBER

1. Number of personnel assigned to project: _____
2. Training hours received: _____

OBJECTIVE LE-5: Provide information to the public to prevent the illegal use of marijuana. Describe the efforts to inform, educate, and provide awareness to the general public on the dangers and myths of marijuana use. Discuss any coordination efforts between public, private, and criminal justice agencies that will be used to achieve this objective.

PROJECTED NUMBER

1. Educational forums presented (to clubs, schools, etc.): _____

Prosecution Component

OBJECTIVE DA-1: Increase the conviction rate of felony marijuana cultivators and traffickers. Describe the efforts to convict marijuana cultivators and traffickers in the county. Include a discussion explaining how cases will be tracked within and outside the project from referral to final disposition.

PROJECTED NUMBER

1. Cultivators and traffickers referred for prosecution: _____
2. Number of complaints filed: _____
3. Number of cases completed: _____
4. Total number of convictions: _____
5. Total number of convictions: _____

OBJECTIVE DA-2: Provide specialized services to law enforcement personnel to improve the quality of marijuana prosecution efforts. Describe efforts to provide law enforcement personnel with specialized services, e.g., search warrant assistance, pre-arrest strategy meetings, on-scene assistance and training. Discuss the proposed policies that will be established to provide specialized services to law enforcement personnel, including the kinds of liaison between components and participating agencies to achieve this objective.

PROJECTED NUMBER

1. Search warrant preparation assistance provided: _____
2. Coordination meetings with law enforcement personnel: _____
3. On-scene legal assistance provided (OPTIONAL): _____
4. Training sessions given to law enforcement: _____

OBJECTIVE DA-3: Forfeit the assets of marijuana cultivators and traffickers. Describe the asset forfeiture procedures and actions taken on marijuana cultivators and traffickers in the county. Include a discussion of the kind of ongoing coordination between components and participating agencies that will be undertaken to achieve this objective. Indicate whether this grant prosecutor will handle these cases and, if not, discuss how forfeiture will be addressed.

PROJECTED NUMBER

1. Number of forfeiture proceedings initiated: _____
2. Number of forfeiture proceedings completed: _____

OBJECTIVE DA-4: Improve the prosecution of marijuana cases through specialized training. Describe the proposed district attorney training efforts including basic and advanced training. This description must include any cross-training with other criminal justice agencies and the efforts made to remain current with the latest trends.

PROJECTED NUMBER

1. Training hours received: _____
2. Training provided to share information with others (cross-training): _____

OBJECTIVE DA-5: Provide information to the public to prevent illegal use of marijuana. Describe the efforts to inform the general public on the dangers and myths of marijuana use. Discuss any coordination efforts between public, private, and justice agencies that will be used to achieve this objective.

PROJECTED NUMBER

1. Prevention forums conducted in conjunction with law enforcement: _____

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. Project costs must be directly related to the objectives and activities of the project. Applicants are thus instructed to prepare a realistic and prudent budget which avoids unnecessary or unusual expenditures which would detract from the accomplishment of the objectives and activities of the program. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds. Projects may supplement grant funds with funds from other sources. However, since all approved line items are subject to audit, the applicant should not include any matching funds (if applicable) in the project budget. All budgets are subject to OES modifications and approval.

OES requires the applicant to develop a **line item** budget that will enable them to meet the intent and requirements of the program, ensure the successful implementation of the project, and be cost-effective. Failure of the applicant to include required items in the budget does not exclude responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov. The applicant can select "Plans and Publications, *Recipient Handbook*" for additional information concerning OES budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1, subsection B of this RFA if you have additional budget questions.

The following information is provided to assist in the preparation of the budget. Strict adherence to all required and prohibited items is expected. **Where the applicant does not budget for a required item, the applicant assumes responsibility.** Failure of the applicant to include required items in the budget does not exclude responsibility to comply with those requirements during the implementation of the project.

1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the application in front of the budget pages. In the narrative describe:

- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition to this project.
- The necessity for subcontracts and unusual expenditures.

2. Specific Budget Categories

There is an Excel Workbook in *Recipient Handbook, Appendices and Forms* ([FORMS](#)) with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

Use the Excel spreadsheet **without match** for your budget pages. The left column of each budget category on the Spreadsheet requires line item detail including the method of calculation and justification for the expense. Enter the amount of each line item in the right column of the Budget Category form. All charges must be clearly documented and **rounded off to the nearest whole dollar**. The spreadsheet will add each addition and round off the

nearest whole dollar. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

Method of Calculation Example:

Facility Rental (to be shown on budget page)

Office Space is rented for 2 positions

Step 1: $\$1.75 \times 125 \text{ sq ft} = \218.75

Step 2: $\$218.75 \times 2 \text{ fulltime positions} = \437.50

Step 3: $\$437.50 \times 12 \text{ months} = \mathbf{\$5,250 \text{ (Total Cost)}}$

(Refer to Recipient Handbook Section 2232 for more information on Facility Rental)

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

- a. **Personal Services – Salaries/Employee Benefits (OES A303a):** A line-item is required for each allowable expense, and must include a detailed description of the expense and the method of calculation.

1) Salaries

Salaries are fixed compensation for services performed by project staff assigned to the Marijuana Suppression Program who are directly employed by the applicant and are paid for on a regular basis. These costs must be identified by position, percentage of salary and **rounded off to the nearest whole dollar**. These may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. However, overtime must be a separate line item and show the method of calculation. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds.

Overtime is listed as a separate line item and the method of calculation must be shown (i.e., # of overtime hours x rate of overtime pay). If there is overtime listed for more than one person with differing rates of pay, each position should have a separate overtime line item.

Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) the Operational Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues, are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

- b. **Operating Expenses (OES A303b):** A line-item is required for each allowable expense, and must include a detailed description of the expense and the method of calculation.

Operating expenses are defined as necessary expenditures other than personal salaries, benefits, and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award), and be encumbered during the grant period. All charges must be clearly documented and **rounded off to the nearest whole dollar**.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees, confidential funds, and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5,000 per unit (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during an OES site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses category.

Allowable Expenses

- 1) Confidential fund expenditures are costs incurred by law enforcement agencies using grant personnel working undercover or in another investigative capacity. It may include the purchase of information, physical (i.e., narcotics or stolen property), or services. Confidential fund expenditures are only allowable for grants to state or local law enforcement agencies. Refer to the Marijuana Suppression Program Guidelines for the Federal Guidelines on Confidential Funds (if applicable to your project, please see Attachment A).

- c. **Equipment (OES A303c):** A line item is required for each allowable expense, must include a detailed description of the expense and the method of calculation.

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5,000 or more per unit (including tax, installation, and freight).

Equipment which is directly related to and used for project activities will be considered for approval if comparable agency owned equipment is not available and/or not suitable for the specialized needs of the Marijuana Suppression Program.

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

Allowable Equipment

- 1) **Vehicles** are an allowable expense under the Marijuana Suppression Program with written approval from OES. Follow the justification instruction in Section 2331 of the Recipient Handbook.
- 2) **Weapons and Ammunition** are allowable expenditures under the Marijuana Suppression Program. Lethal weapons can be approved by OES staff with proper justification, on a case-by-case basis. Non-lethal weapons such as tasers, pepper ball guns, and bean bag guns are also allowable expenditures.

C. APPLICATION APPENDIX

The Application Appendix provides OES with additional information from the applicant to support components of the application. The following must be included:

- Operational Agreements: *OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period.* This document must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is provided in *Recipient Handbook, Appendices, and Forms* ([FORMS](#)).
- Project Summary
- Report of Alien Convictions
- Methamphetamine Assurance of Compliance
- Project Service Area Information
- Out of State Travel Request, OES 700 (if applicable)
- Computer and Automated Systems Purchase Justification
- Noncompetitive Bid Request (if applicable)
- Organizational Chart
- DEC Protocol

MARIJUANA SUPPRESSION PROGRAM REQUEST FOR APPLICATION

PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the application.

- A. Finalizing the Grant Award Agreement
- B. Administrative Requirements
- C. Budget Policy
- D. Glossary of Terms

A. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. OES does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, OES may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

OES Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Grant Award Conditions

OES may add one or more grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, they will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by OES.

3. Grant Award Agreements

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The recipient is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received and the State Budget is finalized, the Report of Expenditures and Request for Funds (OES 201) may be submitted for reimbursement.

4. Grant Award Amounts

When the amount of funds available is limited, OES may reduce the amount of the grant award from the amount requested by the applicant. In addition, OES reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, OES will notify the applicant prior to executing the Grant Award Agreement.

B. ADMINISTRATIVE REQUIREMENTS

The Recipient Handbook (RH)

The *Recipient Handbook* is accessible on the OES Internet website at www.oes.ca.gov by selecting “*Recipient Handbook, Appendices and Forms*.” The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

The information below may be cross referenced with the *Recipient Handbook* (RH) by referencing the handbook section number.

1. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the terms of the program.

2. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, OES will review these records for accuracy and compare them with the reported data submitted on the progress reports.

3. Monthly/Quarterly Report of Expenditures and Request for Funds (OES 201) (RH 6300)

Community-based organizations shall submit a monthly Report of Expenditures and Request for Funds (OES 201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form OES 201 will result in the withholding of funds and may result in the recommendation to OES' Executive Director for termination of the grant award.

4. Technical Assistance/Site Visits (RH 10300)

Funding projects are assigned an OES program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement.

New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

5. Monitoring Requirements (RH 10400)

A monitoring visit is an onsite assessment by OES staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

6. Bonding Requirements (RH 2160)

Private community-based organizations (CBO) and American Indian organizations are required to obtain and send to OES a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of OES-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, Governor's Office of Emergency Services" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

7. Audit Requirements (RH 8100)

Recipients must arrange for an independent audit of the grant award and may budget a portion of the audit costs. Instructions for budgeting funds for audit costs are outlined in the *RH* Section 2234.

8. Copyrights, Rights in Data, and Patents (RH 5300)

OES owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

9. Source Documentation (RH 10111)

Recipients are required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements as pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the terms of the program. Recipients will be required to have written job descriptions on file for positions funded by OES detailing specific grant-related activities to achieve project objectives.

C. BUDGET POLICY

This document summarizes information on OES Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov by selecting "*Recipient Handbook, Appendices and Forms.*"

1. **Supplanting Prohibited (RH 1313)**

Grant funds must be used to supplement existing funds for program activities and ***not replace*** funds appropriated for the same purpose. A written certification must be provided to OES indicating the grant funds will not be used to supplant existing funds. Supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1313 of the *Recipient Handbook*.

2. **Project Income (RH 6610)**

Project income such as client fees and fees for services provided by the project (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money, must be used to offset or augment the grant unless otherwise specified in the RFA instructions. Project income cannot be used as matching funds unless otherwise specified in the RFA instructions.

3. **Contract and Procurement (RH 3400)**

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by OES program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000, which requires prior OES approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a noncompetitive bid request will be required. OES will provide assistance in submitting a noncompetitive bid request if OES determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. **Match Policies (RH 6500)**

The RFA Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses, or Equipment are considered match if not in violation of the prohibition on supplanting. Match specified in the budget will become part of the grant award. (Specific instructions for calculating the match are provided in Sections 6550 – 6550.2 of the *Recipient Handbook*.)

5. **Travel Policies**

The following is OES' current travel policy:

a. **Selection of Travel Policy (RH 2236)**

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

1) **Units of Government**

Units of government may use their own written travel policy or the state policy.

2) **Community-Based Organizations (CBO)**

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel Policy (RH 2236.2)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for OES approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 48.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the application.

3) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m.
Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 4:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

Total is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging rate is \$84.00, plus applicable taxes (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc. which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. Participating Staff

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the operating expenses category of the grant budgets.

7. Consultant Services (RH 3710)

Consultant services are provided on a contractual basis by individuals or organizations not direct employees of the applicant (see *Personal Services – Salaries*). Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or,
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. Rates

The maximum rate for independent contractors is \$250 per hour (excluding travel and subsistence costs). A request for compensation for over \$250 per hour requires **prior approval** and additional justification.

1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government can not provide services without this cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. Expert Witness Fees (RH 3710.2)

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for witness fees is \$250 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s). Include a statement regarding recognition by the court of the individual as an expert;
- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT), Medical Doctor (MD)];
- rate of pay per hour, including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation);
- justification for why this cost cannot be paid with county funds (attach the justification to OES A303b).

8. Facility Rental (RH 2232)

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the application.

a. Rental Space for Training and Counseling Rooms

Rental space for training and individual and/or group counseling rooms may also be charged to the grant providing the charge is based on actual costs and not reimbursed by other source.

9. Rented or Leased Equipment (RH 2233)

An explanation and cost analysis is required when equipment rented or leased. This analysis must demonstrate it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by OES prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by the applicant for indirect costs if allowable by the funding source.

11. Audits (RH 8150)

OES projects expending \$25,000 or more of OES grant awards are required to complete and audit. The project may budget for the cost of obtaining a financial audit. Allowable audit costs are as follows:

- if the total amount of the grant is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- if the total amount of the grant is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

12. Equipment (RH 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for each different type of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment may be budgeted if it is essential to the implementation of the project and to be used solely for project activities. Grant funds may not be used to reimburse the project for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness. Prior approval by OES is required.

b. Computers (RH 2340)

1) Community-Based Organization (RH 2242.1)

Community-based organization may budget up to \$25,000 in computer equipment, software, and related costs. OES will evaluate the proposed purchase on the basis of grant-related need. Prior approval by OES is required. The Recipient will be sent instructions for preparing the justification.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. OES will evaluate the proposed purchase on the basis of grant-related need. OES must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required. The Recipient will be sent instructions for preparing the justification.

3) Computer Purchase Justification (RH 2341)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. The Recipient will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobiles usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by OES's program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (RH 2240)

a. Lobbying (RH 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

b. Fundraising (RH 2243)

OES grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

c. Real Property and Improvements (RH 2244)

Real property including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless authorized in the RFA instructions.

d. Interest (RH 2245)

The cost of interest payments is not an allowable expenditure unless the cost is a result of a lease/purchase agreement.

e. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings, or office functions is not an allowable expenditure.

f. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type are not an allowable expenditures unless they are part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

g. Membership Dues (RH 2248)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

h. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFA instructions.

i. Annual Professional Dues or Fees (RH 2248)

The cost of professional dues or fees are not allowable expenditures unless it is part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

j. Charges, Fees and Penalties (RH 2245)

Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

k. Depreciation (RH 2249)

Equipment costs may not include additional costs calculated for depreciation.

**DISBURSEMENT OF CONFIDENTIAL FUNDS
CERTIFICATION**

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential expenditures as set forth in the OES guidelines.

Date

Project Director

**CALIFORNIA CODES
PENAL CODE
SECTION 13879.80-13879.81**

13879.80. (a) Every law enforcement and social services agency in this state is encouraged to develop, adopt, and implement written policies and standards for their response to narcotics crime scenes where a child is either immediately present or where there is evidence that a child lives, by January 1, 2005. These policies shall reflect the fact that exposing a child to the manufacturing, trafficking, and use of narcotics is criminal conduct and that a response coordinated by law enforcement and social services agencies is essential to the child's health and welfare.

(b) The needs of a drug endangered child are best served with written policies encouraging the arrest of an individual for child endangerment where there is probable cause that an offense has been committed coordinated with an appropriate investigation of the child's welfare by child protective agencies. Protocols that encourage a dependency investigation contemporaneous with a law enforcement investigation at a narcotics crime scene, when appropriate, are consistent with a child's best interest.

13879.81. Communities are encouraged to form multijurisdictional groups that include law enforcement officers, prosecutors, public health professionals, and social workers to address the welfare of children endangered by parental drug use. These coordinated groups should develop standards and protocols, evidenced by memorandums of understanding, that address the following:

- (a) Felony and misdemeanor arrests.
- (b) Immediate response of protective social workers to a narcotics crime scene involving a child.
- (c) Outsourcing protective social workers to law enforcement.
- (d) Dependency investigations.
- (e) Forensic drug testing and interviewing.
- (f) Decontamination of a child found in a lab setting.
- (g) Medical examinations and developmental evaluations.
- (h) Creation of two hours of P.O.S.T. drug endangered children awareness training.

List of Programs and Specialists

County	Programs & Specialist	County	Programs & Specialist	Programs & Specialists
Alameda	DC - (GM) MH - (GM)	Monterey	DC - (TR) MH - (TR) MS - (SS)	*DC – Drug Control/Anti-Drug Abuse
Alpine	DC - (GM) MH - (GM)	Napa	DC - (SS) MH - (SS)	*MH – Cal-MMET
Amador	DC - (GM) MH - (GM)	Nevada	DC - (EA)	*MS - Marijuana Suppression
BNE/CAMP	CE - (SS)	Orange	DC - (RV) MH - (RV)	*BN/CE– JAG Funded to DOJ
BNE/Crackdown	BN - (RV)	Placer	DC - (EA)	(SS)
Butte	DC - (SS) MS - (SS)	Plumas	DC - (SS)	Sherril Scott
Calaveras	DC - (GM) MH - (GM)	Riverside	DC - (EA) MH - (EA) MS - (SS)	(916) 322-1959
Colusa	DC - (EA)	Sacramento	DC - (SS) MH - (SS)	sherril.scott@oes.ca.gov
Contra Costa	DC - (GM) MH - (GM)	San Benito	DC - (TR) MH - (TR)	
Del Norte	DC - (TR)	San Bernardino	DC - (TR) MH - (TR) MS - (SS)	(RV)
El Dorado	DC - (EA)	San Diego	DC - (RV) MH - (RV)	Rosie Vasquez
Fresno	DC - (EA) MH - (EA) MS - (SS)	San Francisco	DC - (GM) MH - (GM)	(916) 327-5668
Glenn	DC - (EA)	San Joaquin	DC - (RV) MH - (RV)	rosie.lozano-
Humboldt	DC - (TR) MH - (TR) MS - (SS)	San Luis Obispo	DC - (TR) MH - (TR) MS - (SS)	vasquez@oes.ca.gov
Imperial	DC - (RV) MH - (RV)	San Mateo	DC - (TR) MH - (TR)	
Inyo	DC - (RV) MH - (RV)	Santa Barbara	DC - (GM) MH - (GM)	(EA)
Kern	DC - (RV) MH - (RV)	Santa Clara	DC - (GM) MH - (GM) MS - (SS)	Ermelinda Angulo
Kings	DC - (RV)	Santa Cruz	DC - (TR) MH - (TR) MS - (SS)	(916) 322-0096
Lake	DC - (SS) MH - (SS)	Shasta	DC - (SS) MH - (SS) MS - (SS)	ermelinda.angulo@oes.ca.gov
Lassen	DC - (SS)	Sierra	DC - (EA)	
LA – Chess	DC - (EA)	Siskiyou	DC - (SS) MS - (SS)	
LA – Impact	DC - (EA)	Solano	DC - (RV) MH - (RV)	(GM)
LA - LACRCIC	DC - (EA)	Sonoma	DC - (SS) MH - (SS) MS - (SS)	Gina
LA – LARGIN	DC - (EA)	Stanislaus	DC - (TR) MH - (TR)	Madlangbayan-Bautista
Los Angeles	MH - (EA)	Sutter	DC - (EA)	(916) 324-9105
Madera	DC - (GM) MH - (GM)	Tehama	DC - (SS) MS - (SS)	gina.madlangbayan-
Marin	DC - (SS) MH - (SS)	Trinity	DC - (SS)	Bautista@oes.ca.gov
Mariposa	DC - (GM)	Tulare	DC - (EA) MH - (EA)	
Mendocino	DC - (SS) MH - (SS) MS - (SS)	Tuolumne	DC - (RV) MH - (RV) MS - (SS)	(TR)
Merced	DC - (GM) MH - (GM)	Ventura	DC - (RV) MH - (RV)	Terri Roy
Modoc	DC - (SS)	Yolo	DC - (EA) MH - (EA)	(916) 324-9196
Mono	DC - (TR) MH - (TR)	Yuba	DC - (EA)	theresa.roy@oes.ca.gov